AMENDMENTS TO THE CLAIMS

Claims 1-21: Canceled.

22. (Currently amended) A method of inducing killing or apoptosis of malignant or metastatic p53-positive cancer cells, comprising contacting said cells with ~~the~~ a bicistronic construct comprising a single promoter controlling the expression of a sequence encoding p53 and a sequence encoding p14ARF, ~~of claim 15~~, whereby killing or apoptosis of said malignant or metastatic cells is induced.

Claim 23: Canceled.

24. (Previously Presented) The method of claim 22, wherein said bicistronic construct is in a vector, wherein said vector is selected from the group of vectors consisting of retroviral, adeno-associated viral, herpes simplex viral and cytomegaloviral vectors.

25. (Previously Presented) The method of claim 22, wherein said bicistronic construct is in a delivery vehicle, wherein said delivery vehicle is selected from the group consisting of a liposome, polylysine carrier complex, and naked DNA.

26. (Previously Presented) The method of claim 22, wherein said bicistronic construct is in a pharmaceutical composition.

27. (Previously Presented) The method of claim 22, further comprising administering said bicistronic construct in combination with one or more modes of therapy selected from the group consisting of radiation therapy and chemotherapy.

28. (Previously Presented) The method of claim 22, wherein said cancer cells are selected from the group consisting of head and neck cancer cells, breast cancer cells, lung cancer cells, colon tumor cells, liver tumor cells, brain tumor cells, kidney tumor cells, skin tumor cells, ovarian tumor cells, and prostate tumor cells.

29. (Currently amended) A method of inducing growth arrest of malignant or metastatic p53-positive cancer cells, comprising contacting said cells with ~~the~~ a bicistronic construct comprising a single promoter controlling the expression of a sequence encoding p53 and a sequence encoding p14ARF, ~~of claim 15,~~ whereby growth arrest of said malignant or metastatic cells is induced.

Claim 30: Canceled.

31. (Previously Presented) The method of claim 29, wherein said bicistronic construct is in a vector, wherein said vector is selected from the group of vectors consisting of retroviral, adeno-associated viral, herpes simplex viral and cytomegaloviral vectors.

32. (Previously Presented) The method of claim 29, wherein said bicistronic construct is in a delivery vehicle, wherein said delivery vehicle is selected from the group consisting of a liposome, polylysine carrier complex, and naked DNA.

33. (Previously Presented) The method of claim 29, wherein said bicistronic construct is in a pharmaceutical composition.

34. (Previously Presented) The method of claim 29, further comprising administering said bicistronic construct in combination with one or more modes of therapy selected from the group consisting of radiation therapy and chemotherapy.

35. (Previously Presented) The method of claim 29, wherein said cancer cells are selected from the group consisting of head and neck cancer cells, breast cancer cells, lung cancer cells, colon tumor cells, liver tumor cells, brain tumor cells, kidney or cells, skin tumor cells, ovarian tumor cells, and prostate tumor cells.

36. (New) The method of claim 22, wherein said p53 is human p53.

37. (New) The method of claim 22, wherein said p14ARF is human p14ARF.

38. (New) The method of claim 29, wherein said p53 is human p53.

39. (New) The method of claim 29, wherein said p14ARF is human p14ARF.